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October 8, 2019

Via ECF

Honorable Sanket J. Bulsara
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Benitez v. The City of New York, et al.
17-CV-3827 (SJ)(SJB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and assigned to represent Defendants in the above-referenced matter. Defendants write, with the consent of plaintiff's counsel, to provide the Court with a status update regarding depositions and to request additional time to submit a motion solely concerning ADA Guy in the event the parties cannot resolve that matter without Court intervention.

By way of background, on or about October 8, 2019, the parties agreed to conduct joint Monell covering three active matters in this district in which counsel and witnesses are the same.¹ The parties have also agreed to share Monell discovery between the three matters, subject to certain limitations. The parties are in the process of drafting the formal stipulation regarding same, and will forward it to Your Honor and the other Judges for endorsement once it has been finalized.. Accordingly, this agreement resolves the dispute raised by Defendants in this matter regarding ADA Pomodore.

Today, the parties discussed the specific details of plaintiff's requested related to ADA Guy in an attempt to reach a final agreement regarding same. Ultimately, the parties agreed that

¹ Additional two cases are Bellamy v. City of New York, et al., 12-CV-1025(AMD(PK)) and Taylor v. The City of New York, et al., 18-CV-5500 (NG) (ST).

the undersigned will attempt to obtain a specific file requested by plaintiff. Following that, the parties agreed that the undersigned will review the file and confer with plaintiff's counsel regarding the next steps to take in response to the requested discovery. This method may ultimately avoid unnecessary motion practice and save judicial resources. In order to allow sufficient time for this, plaintiff's counsel consented to a three-week extension of time within which to attempt to resolve this request and dispute. In that spirit, Defense Counsel respectfully requests that the Court allow the parties additional time until October 29, 2019 to attempt to reach a resolution regarding this narrow issue without Court intervention. In the event an agreement cannot be reached, Defense Counsel will file any appropriate motion by October 29, 2019.

Thank you for your consideration herein.

Thank you,

/s/

Richard Bahrenburg
Assistant Corporation Counsel

Cc: All Counsel
(via ECF)